

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Revision of the Commission's Rules)	CC Docket 94-102
to Ensure Compatibility with Enhanced)	
911 Emergency Calling Systems)	

**COMMENTS
of the
METROPOLITAN 911 BOARD**

The Metropolitan 911 Board hereby submits the following comments in response to the Commission's *Public Notice*, DA 04-3874 (released December 10, 2004) seeking information regarding the status of state actions to achieve effective deployment of E9-1-1 capabilities for multi-line telephone systems ("MLTS").

The Metropolitan 911 Board is a joint powers association of the seven counties that comprise the Minneapolis/St. Paul, Minnesota metropolitan area, including the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington. The Metropolitan 911 Board oversees the 9-1-1 network and database for the 2.7 million residents of the seven-county area. Minnesota is among the very few states that have adopted MLTS-E911 legislation. Thus the Metropolitan 911 board is pleased to provide these comments regarding the Minnesota experience with MLTS, and to urge the FCC to adopt national rules to ensure that all MLTS provide E9-1-1 capability.

I. INTRODUCTION

Every day emergency responders are delayed or sent to the wrong location because most multi-line telephone systems (MLTS or PBX systems across this country) do not provide accurate caller location when a person calls 9-1-1 in an emergency.

- Every year over 2,000,000 people are victims of personal attacks in the workplace. Of these, over 1,000 are killed. ¹
- Nearly 25% of students and 11% of teachers have been victims of violence in or around schools, one event every seven school days. ²
- Nearly 1,000 people have sudden cardiac arrest daily. Over 90% of them die mostly because a life saving defibrillator did not arrive within 5-7 minutes. ³
- Over 900 workplace homicides occur annually. ⁴
- Homicide is the number one cause of fatal on the job injury to women, and it is the number two cause, behind vehicle accidents for men. ⁵
- Suicide is the third cause of death in college-aged people. ⁶

¹ *A Closer Look at Enhanced 9-1-1*. RedSky Technologies, Inc., 2002.

² *Temporal Variations in School-Associated Student Homicide and Suicide Events-United States, 1992-1999*, The Morbidity & Mortality Weekly Report of the Center for Disease Control, April 10, 2001.

³ American Heart Association, Heart Disease and Stroke Statistics, 2005 Update.

⁴ Bureau of Labor Statistics Census of Fatal Occupational Injuries, Federal Bureau of Investigation Report on Workplace Violence.

⁵ *Workplace Violence: A Report to the Nation*. University of Iowa Prevention Research Center, Iowa City, Iowa; February 2001; *Violence in the Workplace, 1993-1999*. Special Report, U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Washington, DC; December 2001, NCJ 190076.

⁶ *Temporal Variations in School-Associated Student Homicide and Suicide Events-United States, 1992-1999*, The Morbidity & Mortality Weekly Report of the Center for Disease Control, April 10, 2001.

Yet, we have allowed business communications systems, PBX or MLTS systems in our school campuses and in the American workplace, to send inaccurate or misleading location information on 9-1-1 calls. Approximately 10% of all 9-1-1 calls originate from offices or public facilities. Every day millions of Americans go to work or send their children to schools in buildings which are not properly equipped to call 9-1-1 and provide accurate location information for responders to reach them quickly. Citizens have a perilously false sense of security that if they dial 9-1-1 from their work location, the Public Safety Answering Point (PSAP) will know how to get assistance to them. It can be estimated that at least half of the population of the US is affected by this problem each and every work day.

This is a problem with real-life consequences in Minnesota. A student who threatened suicide at a Twin Cities college campus was found only after a room-by-room search of the dorms. Medics were sent to a processing plant in the wrong Greater Minnesota community when the address for a different plant in a different city appeared on the 9-1-1- computer screen. When a domestic abuse call came from a suburban multi-family housing complex and the phone was pulled off the wall, the police had to go unit-by-unit in all three buildings of the complex to find the couple.

The Federal Communications Commission has long recognized that it is good public policy to require location information on all 9-1-1 calls. Location information is the single most critical factor to 9-1-1 for prompt response to the emergency. Without it, precious time is squandered. Lacking a uniform policy, we know that E9-1-1 preparedness by large institutions remains spotty and indiscriminate. Our experience is that most organizations are aware of the issues (and many still are not), but absent a state

or federal mandate, they would rather risk not being E9-1-1 compliant, than invest in additional resources in upgrading and maintaining their phone systems.

This problem is experienced by every 9-1-1 PSAP across this country each and every day. 911 Communications Centers have lived with it for over twenty years. Our 9-1-1 call-takers have over compensated for the deficiencies in the business systems.

Public Safety must admit that we have perhaps been negligent in not raising the awareness of these location issues as we have done with wireless technologies. 9-1-1 preparedness in the business application is not a technology issue, there are technical solutions available. Rather, it is a matter of sound and responsible public policy.

II. THE MINNESOTA EXPERIENCE

In 1995, the Minnesota Legislature passed into law, and sent on to the Governor for signature, legislation to require assurance from private switch telephone systems (PBX systems) that calls dialed to the 9-1-1 system would not be blocked by equipment. It also prescribed that systems must be capable of transmitting the appropriate station number identification for a 9-1-1 call. This "appropriate station number" requirement meant that the station number must be capable of being indexed in and retrieved from an enhanced 9-1-1 service location database which would reflect the specific location of the calling device. On May 25, 1995, then Governor Arne Carlson, vetoed the bill, stating that it clearly "imposed costs on a broad range of private businesses and public agencies." However, Governor Carlson also stated that he "believed this proposed change could have a beneficial effect" and that "it should be pursued in a future legislative session when there is a better understanding of the full extent of its cost."

In 2002, another effort was made to pass legislation in Minnesota. However, the legislation offered this time would have merely required owner/operators of MLTS/PBX systems to educate their users how to dial 9-1-1 (*e.g.*, to use 9, 9-1-1; to know their room location; *etc.*). Due to the pressing business of the legislative session (a focus on the fiscal crisis haunting most states then and now), the legislation did not even get to committee for a hearing to start the legislative process.

Undeterred by this early setback, a Minnesota work group was formed under the direction of the Metropolitan 9-1-1 Board. It consisted of the Board, State 9-1-1 Program officials, local Chapter representatives of APCO and NENA, and 9-1-1 service provider representatives. An early ally was the American Heart Association. The AHA not only had a vested interest that matched the public safety objective (early intervention to critical emergencies for heart and stroke patients), it also had lobbying experience and resources, something local public safety lacked.

The Minnesota collaborative group attempted to fix the problem in the 2003 legislative session, this time pushing legislation patterned after the APCO-NENA model legislation. While the bill progressed through the legislative process, it failed to win final approval by the end of the busy legislative session.

Finally, in the 2004 legislative session, the Minnesota collaboration group was successful in obtaining legislation to begin the process of fixing the problems of E9-1-1 and multi-line telephone systems in Minnesota. While many compromises were necessary in order to achieve legislative success, the public safety community feels strongly that it is a significant start to eliminating the problem.

III. SUMMARY OF MINNESOTA LAW

The Minnesota law regulates the owners and operators of PBX systems that are used in private businesses, hotels, residential units, and educational institutions, including schools and colleges. It has different requirements and effective dates depending upon the user. The following is a general overview of the new law:

- * Each PBX operator must demonstrate or otherwise inform each new telephone system user how to call for emergency assistance from that particular multi-line telephone system. The provision will begin to assure that every Minnesotan who goes to work or school will receive the information they need to dial 9-1-1 from their location.
- * Every owner and operator of a new PBX system purchased after December 31, 2004, must design and maintain the system to provide a call-back number and emergency response location.
- * On and after January 1, 2005, operators of shared PBX systems, whenever installed, serving residential customers must ensure that the shared PBX system is connected to the public switched network and that 9-1-1 calls from the system result in at least one distinctive automatic number identification and automatic location identification for each residential unit.
- * The operator of the education institution PBX system connected to the public switched network must ensure that calls to 9-1-1 from any telephone on the system result in one of the following:
 - (1) automatic location identification for each respective emergency response location;
 - (2) an ability to direct emergency responders to the 9-1-1 caller's location through an alternative and adequate means, such as the establishment of a 24-hour private answering point; or
 - (3) a connection to a switchboard operator, attendant, or other designated on-site individual.
- * Operators of hotel and motel multi-line telephone systems must permit the dialing of 9-1-1 and shall ensure that 9-1-1 calls originating from hotel or motel multi-line telephone systems allow the 9-1-1 system to clearly identify the address and specific location of the 9-1-1 caller.

Tools such as an informational document, a decision tree and a brochure were developed to help businesses, school administrators, risk managers, etc. interpret the legislation (see attached exhibits)

CONCLUSION

The public expects and demands high quality 9-1-1 service. They expect that no matter where they are, the 9-1-1 system is going to work, is going to produce consistent results when they call for assistance, and will obtain the desired response to urgent situations they require. They expect that the 9-1-1 system will work essentially the same way whether they are calling from their home, their business or their car. While some may argue that public expectations are, perhaps, unrealistic, it is the reality of today's communications environment.

We urge the Commission to act on this public safety issue with the same zeal and attention that it has placed on the need for wireless location. It is the same issue in a different flavor. Locating a 9-1-1 caller from a multi-line telephone system is a public safety issue just as surely as wireless location is. Action is needed now, before another emergency becomes a tragedy in the workplace or on a school campus. Federal action is essential to solve this problem.

Respectfully submitted,

/s/

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